

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIC ALLEN CORDELL	)	
Petitioner	)	
	)	
vs	)	Case No. 05-1205
	)	
SUPT. WAKEFIELD	)	
Respondents	)	

REPORT AND RECOMMENDATION

AND NOW, this ~~31~~<sup>4</sup> day of August, 2005, after Eric Allen Cordell presented a petition for a writ of habeas corpus which he seeks leave to prosecute in forma pauperis, and it appearing that he has \$1036.24 in his account at the State Correctional Institution at Greensburg, which sum is far in excess of the \$5.00 filing fee required to commence this action, and it further appearing that requiring the petitioner to pay the filing fee will not deprive him of any necessities of life at the Institution,

It is recommended that leave to proceed in forma pauperis be denied, and, if it is petitioner's desire to proceed with this action, that he submit the \$5.00 filing fee within 20 days of the adoption of this Report and Recommendation.

Within 10 days after being served with a copy, any party may serve and file written objections to the Report and Recommendation. Any party opposing the objections shall have seven days from the date of service of objections to respond

thereto. Failure to file timely objections may constitute a waiver of any appellate rights

A handwritten signature in black ink, appearing to read "Robert C. Mitchell", is written over a horizontal line.

ROBERT C. MITCHELL  
United States Magistrate Judge

cc: Eric Allen Cordell  
EG-3803  
SCI Greensburg  
RD 10, Box 10  
Route 119 South  
Greensburg, PA 15501-8999